

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-46 are pending in this application. Claims 19 and 42 were rejected under 35 U.S.C. §112, second paragraph. Claims 1-46 were rejected under 35 U.S.C. §103 as unpatentable over U.S. patent application publication. 2002/0010638 to Fischer in view of U.S. patent 5,732,400 to Mandler et al. (herein "Mandler").

Addressing first the rejection of claims 19 and 42 under 35 U.S.C. §112, second paragraph, that rejection is traversed by the present response. Specifically, each of claims 1 and 24 is amended to clarify the language therein to allow for the operation in dependent claims 19 and 42. The claim amendments are believed to thereby address the rejection of claims 19 and 42 under 35 U.S.C. §112, second paragraph.

Addressing now the rejection of claims 1-46 under 35 U.S.C. §103 as unpatentable over Fischer in view of Mandler, that rejection is traversed by the present response.

Independent claims 1 and 24 are amended by the present response to clarify features recited therein. Independent claim 1 now clarifies the initial off-line transaction between a customer and a supplier is "of a completed purchase or lease of equipment". Independent claim 1 also clarifies the on-line purchase is "subsequent to the completed off-line transaction". The subject matter clarified in the claims is believed to be clear from the original specification for example at page 7, line 32 to page 8, line 10. The claimed features are believed to also clearly distinguish over the applied art.

The outstanding rejection cites Fischer as the primary reference. Fischer, however, clearly differs from the claims in several significant aspects.

Fischer is directed to an operation in which an e-commerce transaction is conducted between a user and a vendor. In Fischer a user can send an order list to a vendor in an off-

line environment, and then utilize a subsequent on-line process to complete the transaction of the order list.

Fischer differs from the claims as written as first Fischer does not disclose or suggest “storing a customer’s financial information in a supplier system based on an off-line transaction of a completed purchase or lease of equipment between a customer and a supplier”. The initial off-line transaction in Fischer is merely the sending of an order list from a user to a vendor. That sending of an order list is not a completed purchase or lease of equipment. In fact Fischer discloses just the opposite as Fischer discloses that the on-line process is required to complete the off-line order.

In that respect Fischer also teaches away from the claimed feature of “beginning an on-line purchase, subsequent to the completed off-line transaction”. The on-line purchase in Fischer is merely a completion of the same off-line transaction in Fischer. That is, it is not a separate transaction.

In such ways Fischer is directed to a significantly different device than as claimed in that Fischer is merely directed to a device that can partition one transaction into an off-line component and an on-line component. The claims are not directed to such an operation. Instead, in the claims a completed purchase or lease that takes place off-line can be utilized for credit risk information for a subsequent on-line purchase. Fischer is not at all directed to any such device.

Moreover, no teachings in Mandler cure the deficiencies in Fischer.

First, applicants note the teachings of Mandler are not properly combinable with Fischer as they teach a contrary environment from the device in Fischer.

In contrast to Fischer, and the claims as currently written, Mandler discloses merely being able to access an on-line financial clearinghouse. Mandler makes it clear that the system and method disclosed therein “provides for enabling on-line transactional services

among sellers and buyers *having no previous relationship with each other*" (emphasis added, see the Abstract of Mandler).

The outstanding Office Action is completely disregarding the fact that Mandler discloses a contrary teaching to that in Fischer. Fischer *requires a previous relationship* between the buyer and seller, particularly as Fischer utilizes an on-line transaction to merely complete a previously started off-line transaction. Mandler is directed to a directly *opposite* situation that allows buying and selling between parties that have had *no previous relationship* with each other. Combining such directly contrary teachings would clearly not have been suggested to one of ordinary skill in the art. The outstanding Office Action is completely disregarding the complete contrary teachings in each of the cited references.

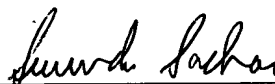
Moreover, in the claimed invention the goal is to allow a previous off-line completed purchase or lease transaction between a customer and a supplier to provide information that will be useful in determining whether to approve a subsequent on-line purchase. Such a basic operation of the claimed invention is directly contrary to the teachings of Mandler.

In view of these foregoing comments applicants respectfully submit each of amended independent claims 1 and 24, and the claims dependent therefrom, patentably distinguish over Fischer in view of Mandler.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)
SNS/rac

Surinder Sachar
Registration No. 34,423

I:\ATTY\SNS\19's\197792\197792US-AM.DOC